



UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSHUA KENNETH ESHE,

Defendant.

2:22-CR-128-GMN-NJK

**Preliminary Order of Forfeiture**

This Court finds Joshua Kenneth Eshe pled guilty to Count One of a One-Count Criminal Information charging him with receipt of child pornography in violation of 18 U.S.C. § 2252A(a)(2). Criminal Information, ECF No. \_\_; Change of Plea, ECF No. \_\_; Plea Agreement, ECF No. \_\_.

This Court finds Joshua Kenneth Eshe agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Information. Criminal Information, ECF No. \_\_; Change of Plea, ECF No. \_\_; Plea Agreement, ECF No. \_\_.

This Court finds, under Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Information and the offense to which Joshua Kenneth Eshe pled guilty.

The following property is any visual depiction described in 18 U.S.C. § 2252A, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of 18 U.S.C. § 2252A(a)(2) or any property, real or personal, used or intended to be used to

1 commit or to promote the commission of 18 U.S.C. § 2252A(a)(2) or any property traceable  
2 to such property and is subject to forfeiture under 18 U.S.C. § 2253(a)(1) and 2253(a)(3):

3 1. One LG G8 ThinQ GSM LM-G820UM cell phone with unknown serial  
4 number  
5 (all of which constitutes property).

6 This Court finds that on the government's motion, the Court may at any time enter  
7 an order of forfeiture or amend an existing order of forfeiture to include subsequently  
8 located property or substitute property under Fed. R. Crim. P. 32.2(e) and 32.2(b)(2)(C).

9 This Court finds the United States of America is now entitled to, and should, reduce  
10 the aforementioned property to the possession of the United States of America.

11 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND  
12 DECREED that the United States of America should seize the aforementioned property.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory  
14 rights, ownership rights, and all rights, titles, and interests of Joshua Kenneth Eshe in the  
15 aforementioned property are forfeited and are vested in the United States of America and  
16 shall be safely held by the United States of America until further order of the Court.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States  
18 of America shall publish for at least thirty (30) consecutive days on the official internet  
19 government forfeiture website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall  
20 describe the forfeited property, state the times under the applicable statute when a petition  
21 contesting the forfeiture must be filed, and state the name and contact information for the  
22 government attorney to be served with the petition, under Fed. R. Crim. P. 32.2(b)(6).  
23 Notice is served on any individual or entity on the date when it is placed in the mail,  
24 delivered to a commercial carrier, or sent by electronic mail under Fed. R. Crim. P.  
25 32.2(b)(6)(D) and Supplemental Rule G4(b)(i) and (iv).

26 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual  
27 or entity who claims an interest in the forfeited property must file a petition for a hearing to  
28 adjudicate the validity of the petitioner's alleged interest in the property under 21 U.S.C.

1 § 853(n)(2), which petition shall be signed by the petitioner under penalty of perjury under  
2 21 U.S.C. § 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the  
3 petitioner's right, title, or interest in the property, the time and circumstances of the  
4 petitioner's acquisition of the right, title or interest in the property, any additional facts  
5 supporting the petitioner's claim, and the relief sought.

6 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,  
7 must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas,  
8 Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was  
9 not sent, no later than sixty (60) days after the first day of the publication on the official  
10 internet government forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov), whichever is earlier.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the  
12 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States  
13 Attorney's Office at the following address at the time of filing:

14 Daniel D. Hollingsworth  
15 Assistant United States Attorney  
16 Misty L. Dante  
17 Assistant United States Attorney  
501 Las Vegas Boulevard South, Suite 1100  
Las Vegas, Nevada 89101.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice  
19 described herein need not be published in the event a Declaration of Forfeiture is issued by  
20 the appropriate agency following publication of notice of seizure and intent to  
21 administratively forfeit the above-described property.

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send  
23 copies of this Order to all counsel of record.

24 DATED June 26, 2023.

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27   
28 GLORIA M. NAVARRO  
UNITED STATES DISTRICT JUDGE